



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PERRION ROBERTS, #159116,

Plaintiffs,

CIVIL ACTION No.2:05-CV-578-F

v.

DONAL CAMPBELL, et al.,

Defendants.

AFFIDAVIT

Before me, the undersigned Notary Public, did personally appear Gladys Deese, who being duly sworn deposes and makes the following statement:

My name is Gladys Deese. I am an individual over the age of nineteen years and am employed by the State of Alabama, Department of Corrections, at Julia Tutwiler Prison for Women, 8966 U.S. Highway 231 North, Wetumpka, Alabama. I am employed in the capacity of Warden III. I am named a defendant in this case.

I have read the complaint in the above referenced case. I make the following statement in the defense thereof: In response to these allegations the officers enforce the smoke-free policy to the best of their ability. Officers do not knowingly expose inmates to second-hand smoke; in fact inmates who are caught violating the no-smoking rule are reprimanded with disciplinary action and are placed in a segregated dormitory for a length of time to be determined by the disciplinary hearing officer. Alabama Dept. of Corrections has taken great strides to make certain that the statewide smoke-free policy is enforced.

ADOC has an administrative regulation in place, AR009, and Tutwiler Prison has a standard operating procedure (SOP 15-10) to regulate the institutional policy, which is in line with the departmental policy. (See attached AR009 and SOP 15-10)

Gladius Deere Affiant

Sworn to and subscribed before me this 11 day of July 2005.

Lynn Lamber Notary Public
My commission expires 8-14-2006.